

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEW YORK JETS LLC and JETS DEVELOPMENT LLC,

Plaintiffs,

-against-

CABLEVISION SYSTEMS CORPORATION,
CSC HOLDINGS, INC., and
MADISON SQUARE GARDEN LP,

Defendants.

Hon. HAROLD BAER, JR., District Judge:

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DATE FILED: 2-17-06

: 05 Civ. 2875 (HB)

: ORDER

WHEREAS, the parties, having filed memoranda and affidavits in this matter, appeared before me on February 15, 2006 for oral argument on plaintiffs' motion to dismiss defendants' amended counterclaims; and

WHEREAS defendants had plead counterclaims pursuant to N.Y. Civil Rights Law Section 70-a (the "anti-SLAPP" counterclaim) and for tortious interference with existing contracts and tortious interference with prospective business relations with respect to both defendants' television subscribers and certain design and construction

firms, it is hereby

ORDERED that, for the reasons set forth on the record at the oral argument, plaintiffs' motion to dismiss the anti-SLAPP counterclaim is DENIED; and it is further

ORDERED that, due to defendants' failure to allege the existence of any specific contracts with any of the design and construction firms referenced in the complaint, see Wolff v. Rare Medium, Inc., 210 F. Supp. 2d 490, 497 (S.D.N.Y. 2002), plaintiffs' motion to dismiss defendants' claim for tortious interference with existing contracts with respect to design and construction firms is GRANTED; and it is further

ORDERED that plaintiffs' motion to dismiss defendants' counterclaim for tortious interference with prospective business relations with respect to design and construction firms is DENIED; and it is further

ORDERED that plaintiffs' motion to dismiss defendants' counterclaims for tortious interference with existing contracts and tortious interference with prospective business relations with defendants' television subscribers is DENIED.

The Clerk of the Court is directed to close this motion and remove it from my docket.

SO ORDERED.

February 14, 2006
New York, New York



U.S.D.J.